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# Alabama and the Charleston Convention of 1860

BY

JAMES LEONIDAS MURPHY

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## IX. ALABAMA AND THE CHARLESTON CONVENTION OF 1860.

BY JAMES LEONIDAS MURPHY, Evergreen, Ala.

No convention in the history of the Democratic party has had more important results than the one that met in Charleston, South Carolina, in 1860. It witnessed the disruption of the Democratic party, which practically ensured the election of Lincoln, and thereby precipitated secession and the Civil War. It is especially interesting to the student of Alabama history because of the part that Alabama took in it. Its main incidents are familiar to every one, for many good accounts of it have been written.<sup>1</sup> Yet no one has carefully traced out the history of the movement which resulted in its disruption. This was the final culmination of a political policy that had been inaugurated in Alabama in 1848, and had been enunciated in the famous "Alabama Platform" of that year. It is the purpose of this paper to show the relation between this Alabama movement and the Charleston convention, and to trace the effect of Alabama politics on that convention—in other words to explain how the Alabama delegates came to play so important a part in it. Free use will be made of contemporary material, much of which has not been previously utilized.

To understand the action of the Alabama delegates in the Charleston convention we must first examine the circumstances under which they were sent there, and the instructions that were given them as to the course they were to pursue. The convention which sent them met in Montgomery, January 11, 1860.

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<sup>1</sup> Rhodes gives a clear, but brief, account in the second volume of his *History of the U. S. from the compromise of 1850*, vol. ii, pp. 454, *et seq.* Greeley, in his *American Conflict*, vol. i, pp. 309, *et seq.*, gives more details and some extracts from documents. Lossing writes with bitterness, but gives many interesting facts in his *Civil War in America*, vol. i, p. 18. Von Holst discusses it vigorously from an unfriendly standpoint in his *Constitutional History of the U. S.*, vol. i, p. 59-61, chap. III. Wilson's *Rise and Fall of the Slave Power* describes in fun the point of view of a leader of the Republican party of that day, vol. ii, chap. liv. The best presentation of Douglas's side is in Stephens's *Constitutional View of the Late War Between the States*, vol. ii, pp. 271, *et seq.* The most elaborate account from the Southern State rights standpoint is to be found in Du Bose's *Life of W. L. Yancey*, chap. 22.

There were two contesting wings in this convention. One was led by William L. Yancey, who believed in demanding absolute protection for slavery in the Territories; the other was led by Messrs. John J. Seibels and John Forsyth, who did not believe that it would be of any material advantage to the South to demand this protection, and was inclined towards Stephen A. Douglas's popular sovereignty theory. When the convention met, Mr. Bulger, of Tallapoosa, was proposed as temporary chairman by the Seibels and Forsyth wing, and Mr. Smith, of Lauderdale, by the Yancey wing. As a compromise, Mr. Walker moved that Mr. Francis S. Lyon be made temporary chairman of the convention. This motion was carried, and Mr. Lyon took the chair.<sup>3</sup>

The next struggle in the convention was in regard to the rival delegations from Montgomery and Mobile counties. There had been two primaries in Montgomery county to select delegates to the state convention. The first, on November 12, 1859, claimed to

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<sup>3</sup> For some vivid reminiscences of this convention see the article by Col. S. S. Scott in the *Transactions* of the Alabama Historical Society, vol. iv.

Johnson J. Hooper, the well known humorist, at that time was editor of the *Montgomery Daily Mail*, and in the issue of Jan. 12, 1860, gives the following racy description of the selection of a chairman:

"The Ducipital Democracy!  
Two Chairmen in the Stand!  
The Lambs Compromise on a Lyon!  
A Yancey Committee!

"The Democratic State convention, or rather two or three hundred gentlemen claiming to be such, met in the Hall of the House, yesterday afternoon.

"At three-quarters past three, some gentleman moved that Gen. M. J. Bulger of Tallapoosa act as temporary chairman.

"Mr. Yancey rose, and stated that the motion was out of order, the hour appointed being four o'clock, by the State House clock.

"General Bulger, however, took the chair, and Mr. Yancey continued, showing that no motion could be made till four. He spoke till that hour, and then moved that Hon. H. D. Smith, of Lauderdale, take the chair, and put the question, which was carried.

"Mr. Smith now took the stand, also, so that there were two temporary chairmen on the stand, each hammering and putting propositions, as to his own election; and each deciding in his own favor.

"The noise, hubbub, and human roar, became awful. Tophet, with old Nick on a bust, couldn't be worse.

"Hon. L. P. Walker now moved that Hon. F. S. Lyon (old Union man, but now of Yancey's wing,) be the compromise Chairman—which was carried; and Messrs. Smith and Bulger walked down, and Mr. Lyon walked up."



be the regular meeting of the Democracy of Montgomery county. It unanimously adopted the following resolutions:

"1. The constitution of the United States is a compact between sovereign and co-equal States, united upon the basis of perfect equality of rights and privileges.

"2. The territories of the United States are the common property of the States, to which the citizens of each and every State may rightfully and constitutionally emigrate with any property recognized as such in any State of the Union, and while there it is the constitutional duty of the Federal government, acting through its appropriate agents and departments to provide such adequate and complete protection to their property of every description as may be essential to its full enjoyment.

"3. The doctrine of non-intervention or 'non-interference with the institution of slavery in States, Territories, or District of Columbia,' as laid down in the Cincinnati platform, does not, nor was it intended to recognize the doctrine of Squatter Sovereignty, or to conflict with the assertion and maintenance of the constitutional duty of the Federal government to protect the property of the citizens of the several States which may go or be taken into the Territories of the United States.

"4. In the language of the supreme court of the United States, 'the right of property in slaves is distinctly and expressly affirmed in the constitution,' and 'the only power over it conferred upon Congress, is the power coupled with the duty of guarding and protecting the owners in their rights.' And we hold that neither the compromise measures of '50 and '51, nor the Kansas-Nebraska bill nor the Cincinnati platform was intended to release or could release Congress or any other department of the government from 'the duty of guarding and protecting the owners in their rights' of property in the Territories or from the performance of any other constitutional obligation.

"5. As the Congress of the United States has no power to prohibit or abolish slavery in the Territories, so neither can it confer such authority upon its creature, a Territorial legislature. It pertains alone to the people of the Territory to decide for themselves whether slavery shall exist therein or not, when in the exercise of rightful authority they form their State constitution with the view to admission into the Union, and that such decision becomes of force and effect upon the admission of the Territory as a State.

"6. We insist upon the constitution, and will stand by the constitution as our fathers made it, venerating the maxim, that 'Eternal vigilance is the price of Liberty.' And when we fail to assert and maintain our constitutional rights or acquiesce in their violation for the sake of party harmony and success, or upon the

idea that such rights are abstract or unimportant, we will prove derelict to our duty and unworthy of the blessings of constitutional freedom.

"7. That since the adoption of the Cincinnati platform, the supreme court of the United States has, in the Dred Scott case, clearly defined the constitutional rights of the South, and that we approve that decision and the principles set forth in the opinion of the courts, and that we think it to be the imperative duty of the Charleston convention to express its approval of said decision and principles, and to declare for protection of slavery in the Territories by Congress.

"8. Entertaining these views, it is our sacred duty to support neither Stephen A. Douglas nor any other man for the Presidency of the United States, whose sentiments are opposed to the principles contained in the foregoing resolutions."

Although this meeting was formally regular, its action declaring against Stephen A. Douglas proved unsatisfactory to the Seibels-Forsyth wing, therefore they issued a call for another primary. This primary met on January 2, 1860, and it was attended by both wings.<sup>4</sup> The convention was organized by the Seibels wing, and one of its first duties was to appoint a committee on resolutions. This committee<sup>5</sup> reported identically the same resolutions that had been adopted by the November convention with the exception of the eighth, in which they omitted all specific objections to Douglas. They were doubtless intended as a compromise, which would satisfy both wings and yet leave the field open to Douglas. The Yancey element did not object to the organization; but when these resolutions were reported, Mr. Thomas M. Arrington and Mr. Yancey argued that there was no necessity for the present meeting as its action had been anticipated by the previous one. At the conclusion of Mr. Yancey's argument, he moved that the meeting adjourn. The motion was carried in spite of vigorous protests, the vote being two to one. After the withdrawal of their opponents, the Seibels followers immediately reorganized with Gabriel B. Duval as chairman, and appointed delegates to the state convention.<sup>6</sup> They adopted the

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<sup>4</sup> Montgomery Advertiser and State Gazette, Nov. 16, 1859.

<sup>5</sup> *Montgomery Daily Mail*, Jan. 3, 1860.

<sup>6</sup> This committee on resolutions consisted of Messrs. H. C. Semple, William Marks, J. J. Seibels, Albert Elmore, and J. R. Powell.—*Ibid.*

<sup>7</sup> *Ibid.*

following resolutions, which more perfectly represented their own position:

"1. *Resolved*, That the Democracy of Montgomery county in convention assembled, reindorses the platform of principles laid down by the Democratic party in the National convention of 1856; and hence declares that the Democratic party is the party of the constitution, and recognizes the equality of the several States and the right of the people of all the States to occupy and enjoy their common territory; that it denies the power of the Federal government, or any authority derivative from it, to discriminate between property in slaves and other property existing under the constitution of the United States and the laws of the several States, and asserts the obligation of the general government to provide adequate protection for slave and all other property in the Territories and wherever it has rightful jurisdiction.

"2. *Resolved*, That we understand the Dred Scott decision to cover the principles above declared, and we will support no man for the Presidency, who does not approve and endorse that decision as thus understood.

"3. *Resolved*, That, with this declaration of principles as their guide, we leave our delegates in the convention to adopt such a course as shall in their judgment be best calculated to secure our rights and our honor."<sup>7</sup>

Under similar circumstances two sets of delegations had been selected in Mobile county, but the contest between them was not so bitter as in the case of the two sets from Montgomery.

On the committee to pass upon the contesting delegations from Mobile and Montgomery counties were placed John T. Morgan, as chairman, and six others. Mr. Morgan reported that they considered the delegates appointed by the Democratic meeting held in the city of Montgomery on November 12, 1859, the proper delegates to represent Montgomery county in the state convention. There was much and exceedingly spirited debate on both sides. Morgan vigorously defended his report before the convention. He said he held those persons to be disorganizers who refused to abide by the usages of the Democratic party, and that the refusal to enter as members into a Democratic meeting, which

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<sup>7</sup> These resolutions were drawn up by a committee consisting of the same five men who had drawn up the first resolutions, with the addition of Messrs. T. B. Bethea, John D. Phelan, Peter B. Mastin, P. T. Sayre, W. J. Beasley, George Goldthwaite, Henry W. Hilliard, Abram Martin, John Whiting, and Thomas Brown.—*Montgomery Daily Mail*, Jan. 3, 1860.



had been regularly called, was a departure from these usages. By a vote of 211 to 110 the convention concurred with the report of the committee, and the delegates appointed by the January meeting withdrew.<sup>8</sup> The convention was then in admirable temper, and on motion of Mr. Alex. Clitherall both sets of delegates from Mobile were admitted to seats in the convention by a vote of 295 to 155.

Mr. Erwin was made chairman of the committee on platform. After two days' consultation, he reported the resolutions which were adopted by the convention, the opposition led by Mr. Forsyth, of Mobile, never counting more than six votes.

These resolutions<sup>9</sup> begin with the statement that the question of slavery is more important than all other issues upon which Alabama has previously affiliated with the National Democratic party. They then, in general, reaffirm the Cincinnati platform of 1856, but in order to insist upon the Southern interpretation of this ambiguous platform they specifically state that Congress has no right to prohibit slavery in the Territories, nor have the people of the Territories that right until they form a State constitution. They also endorse the statement of the Alabama platform of 1848, that it is the duty of the general government to protect slaves in the Territories. The Dred Scott decision is interpreted as confirming this claim to protection. The Alabama delegates to the Charleston convention are instructed to withdraw in case it should refuse to adopt a platform embodying these resolutions.<sup>9</sup>

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<sup>8</sup> *Montgomery Daily Mail*, Jan. 12-14, 1860.

<sup>9</sup> The resolutions in full are as follows:

1. *Resolved* by the Democracy of the State of Alabama, in Convention assembled, that holding all issues and principles upon which they have heretofore affiliated and acted with the National Democratic party to be inferior in dignity and importance to the great question of slavery, they content themselves with a general re-affirmance of the Cincinnati Platform as to such issues, and also endorse said platform as to slavery, together with the following resolutions:

2. *Resolved further*, That we re-affirm so much of the first resolution of the Platform adopted in Convention by the Democracy of this State, on the 8th of January, 1856, as relates to the subject of slavery, to wit: "The unqualified right of the people of the slaveholding States to the protection of their property in the States, in the Territories, and in the wilderness in which Territorial Governments are as yet unorganized."

3. *Resolved further*, That in order to meet and clear away all obstacles to a full enjoyment of this right in the Territories, we re-affirm the principle of the 9th resolution of the Platform adopted in Convention by the Democracy of this State on the 14th of February, 1848, to wit: "That it is the duty of the General Government, by all proper legislation, to se-

The question naturally arises whether these resolutions represented the real feeling of a majority of the people of Alabama, or were brought about by the manipulation of shrewd politicians. That they did represent the real feeling of a large number of the Democrats in the State—probably the great majority—is shown first, by the fact that the convention was a genuinely representative body, containing delegates from every county in the State

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cure an entry into those Territories to all the citizens of the United States, together with their property of every description, and that the same should remain protected by the United States while the Territories are under its authority."

4. *Resolved further*, That the Constitution of the United States is a compact between sovereign and co-equal States, united upon the basis of perfect equality of rights and privileges.

5. *Resolved further*, That the Territories of the United States are common property, in which the States have equal rights, and to which the citizens of every State may rightfully emigrate with their slaves or other property, recognized as such in any of the States of the Union, or by the Constitution of the United States.

6. *Resolved further*, That the Congress of the United States has no power to abolish slavery in the Territories, or to prohibit its introduction into any of them.

7. *Resolved further*, That the Territorial Legislatures, created by the legislation of Congress, have no power to abolish slavery, or to prohibit the introduction of the same, or to impair, by unfriendly legislation, the security and full enjoyment of the same within the Territories; and such constitutional power certainly does not belong to the people of the Territories in any capacity, before, in the exercise of a lawful authority, they form a Constitution preparatory to admission as a State into the Union; and their action in the exercise of such lawful authority certainly cannot operate or take effect before their actual admission as a State into the the Union.

8. *Resolved further*, That the principles enunciated by Chief Justice Taney, in his opinion in the Dred Scott case, deny to the Territorial Legislature the power to destroy or impair, by any legislation whatever, the right of property in slaves and maintain it to be the duty of the Federal Government, in all of its departments, to protect the rights of the owner of such property in the Territories; and the principles so declared are hereby asserted to be the rights of the South, and the South should maintain them.

9. *Resolved further*, That we hold all of the foregoing propositions to contain *cardinal principles*—true in themselves, and just and proper, and necessary for the safety of all that is dear to us, and we do hereby instruct our Delegates to the Charleston Convention to present them for the calm consideration and approval of that body—from whose justice and patriotism we anticipate their adoption.

10. *Resolved further*, That our Delegates to the Charleston Convention are hereby expressly instructed to insist that said Convention shall adopt a platform of principles, recognizing distinctly the rights of the South as asserted in the foregoing resolutions; and if the said National Convention shall refuse to adopt, in substance, the propositions embraced in the preceding resolutions, prior to nominating candidates, our Delegates to said Convention are hereby positively instructed to withdraw therefrom.

11. *Resolved further*, That our Delegates to the Charleston Convention



except Covington; and, secondly, by the action of the Democratic county conventions, which met for the purpose of selecting delegates to the convention. It is manifestly impossible to quote many of these. Two examples must suffice. A comparison of the resolutions adopted by the Montgomery county meeting in November with these State resolutions will show that, while the language is different, the ideas are practically the same. The most conspicuous and most often quoted of the county resolutions are those<sup>10</sup> adopted by the Perry county convention held in Marion on October 17, 1859. They were introduced by Wm. M. Brooks, and are identically the same as those afterwards adopted by the Montgomery county meeting of November. They demanded protection for slavery in the territories and insisted that Alabama should not support Douglas or any other man for the presidency who was opposed to protection.

In fact the doctrine of protection for slavery in the Territories was not a new one in 1860. It dated back to the Democratic State convention of 1848, which took an advanced Southern position, and, largely through the efforts of Mr. Yancey, adopted the famous Alabama platform. This declared that citizens of the United States together with their property of every description should not be prohibited, either by Congress or by the Territorial legislatures from entering territory belonging to the general government, and should be protected by Congress.<sup>11</sup> The Alabama delegates were instructed by this convention not to vote for any one who would not accept this view of the slavery question. The compromises of 1850, which after an exciting contest were accepted in Alabama, hushed for a time the demand for protection.

The opening up of the Kansas-Nebraska territory in 1854 re-

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shall cast the vote of Alabama as a unit, and a majority of our Delegates shall determine how the vote of this State shall be given.

12. *Resolved further*, That an executive Committee, to consist of one from each Congressional district, be appointed, whose duty it shall be, in the event that our Delegates withdraw from the Charleston Convention, in obedience to the 10th resolution, to call a Convention of the Democracy of Alabama, to meet at an early day to consider what is best to be done.—*Montgomery Daily Mail*, Jan. 16, 1860.

They are also included in the proceedings of the Charleston Convention.

<sup>10</sup> *Montgomery Advertiser and Gazette*, Nov. 2, 1859.

<sup>11</sup> The Conservative Party in Alabama, by J. E. D. Yonge, *Transactions of the Alabama Historical Society*, vol. iv; also John W. Du Bose's *Life of Yancey*.

vived the idea, and Alabama renewed its demand. The National Democratic convention which met in Cincinnati in 1856 adopted a platform which declared for "non-interference of Congress with slavery in the Territories." The Alabama delegates to this convention supported this platform, but interpreted the clause to mean that the people of a territory could decide for themselves for or against slavery only when forming a State constitution. The Northern Democrats interpreted it to mean that the people of the Territory previous to the formation of a State constitution could decide for themselves whether or not they would have slavery.

It has already been stated that the Alabama delegates were instructed to withdraw from the Charleston convention if a platform embodying the principles of protection was not adopted by it. With these instructions, they met the delegates from the thirty-two other States of the Union in convention at Charleston on April 23, 1860. The proceedings of that convention are too familiar to need repetition. Suffice it to say that as soon as it was organized, a committee on platform was appointed, consisting of one delegate from each of the thirty-three States of the Union. The committee presented three reports to the convention—a majority and two minority reports.<sup>12</sup> In a speech delivered in Montgomery after his return from the Charleston convention, Mr. Yancey said:

"The majority report contained substantially all that Alabama insisted upon and was signed by the delegates on the committee from all the Southern States and those from California and Oregon, making in all seventeen States. This was a majority of all the States in the Confederacy, all of the Democratic States, and those only which can be relied on to cast their electoral votes for a Democratic candidate for the presidency at the ensuing election; and furthermore, they constitute seventeen of the nineteen States that voted for Mr. Buchanan in the electoral college as well as fourteen of the sixteen States in which he received a majority of the popular vote. Thus the principle of protection to slavery, which Alabama had solemnly declared to be vital, was endorsed by a majority of the whole United States and all the reliable Democratic States. Not only endorsed and recommended to the convention by these States upon the platform com-

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<sup>12</sup> *Proceedings* of the National Democratic Convention convened at Charleston, S. C., April 23, 1860, pp. 19-21.



mittee but it met with the sympathy of a portion of the delegates from several of the other free States besides California and Oregon."<sup>13</sup>

The majority platform was voted down by the friends of Mr. Douglas by a vote of 138 to 165. The reason Douglas's friends were able to do this was that the convention had adopted a rule, "that in any State which has not provided or directed by its State convention how its vote may be given, the convention will recognize the right of each delegate to cast his individual vote."<sup>14</sup> This was the first time in the history of the National Democratic conventions that a platform reported by a majority of the platform committee was voted down in the convention. Mr. Yancey said: "It was a rule concocted by a remarkably smart man, and was so cunningly devised that its effect was not suspected until the convention had passed it."

Benjamin F. Butler, of Massachusetts presented one minority report. It was the Cincinnati platform of 1856, pure and simple. It was signed by him alone, and was rejected by a vote of 105 to 198.

The principal minority report was presented by Mr. Samuels, of Iowa, and embraced the Cincinnati platform as to slavery and an additional resolution binding the Democracy to abide by the decision of the supreme court as to slavery in the Territories. It was signed by the delegates upon the committee from fifteen non-slaveholding States. All of these States had free-soil legislatures, and were in the hands of the Republicans.

When the committee on resolutions reported, Mr. Yancey spoke<sup>15</sup> in behalf of the majority report, which embodied, he said, substantially all that the Alabama delegates demanded. This speech was greatly applauded by both Northern and Southern delegates, and was noted for its kindness and conciliation.<sup>16</sup> Mr.

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<sup>13</sup> *Advertiser and State Gazette*, May 16, 1860.

<sup>14</sup> *Proceedings*, etc., p. 7.

<sup>15</sup> This entire speech is to be found in the *Mobile Weekly Register*, May 12, 1860.

<sup>16</sup> The editor of the *Savannah Republican* said of this speech:

"The great event, however, of the day, was the speech of the Hon. Wm. L. Yancey, of Alabama, to which the remainder of the afternoon was devoted. It was, indeed, a great speech, and he has won by it golden opinions from all sides—foes as well as friends. It could not have well been otherwise, for besides its eloquence and manly argument, it was kind

Yancey reviewed the position Alabama had taken upon the slavery question, and expressed his hope that the North would participate in the adoption of a platform of principles favorable to the people of the Southern States. He thought the Northern Democracy should accede to the demands of the Southern States because these were the only States that, in all probability, would not cast Republican electoral votes. He denied the charge that the people of Alabama were disunionists and desired to break up the Democratic party, and pronounced all these statements to be false.

In this speech Mr. Yancey said:

"We come here with two great purposes; first, to save the constitutional rights of the South, if it lies in our power to do so. We desire to save the South by the best means that present themselves to us, and the State of Alabama believes that the best means now in existence is the organization of the Democratic party, if we shall be able to persuade it to adopt the constitutional basis upon which we think the South alone can be saved. Democrats ourselves from youth upward, belonging to a State that has never been anything but Democratic, always voting for a Democratic president, and nearly always sending a united vote to the house of representatives, and Democratic senators to the Senate of the United States, we prefer that the honor of saving the country shall crown the brow of the Democratic party. Deceived as we have been by much shown in the history of that party, we yet have some hope that it will come to the rescue of the country; we have some confidence that it has a desire to come to the rescue. We have come here, then, with the twofold purpose of saving the country and of saving the Democracy; and if the Democracy will not lend itself to that high, holy, and elevated purpose; if it cannot elevate itself above the mere question of how perfect shall be its mere personal organization and how wide-spread shall be its mere voting success, then we say to you, gentlemen, mournfully and regretfully, that, in the opinion of the State of Alabama, and, I believe of the whole South, you have failed in your mission, and it will be our duty to go forth and make an appeal to the loyalty of the country to stand by that constitution which party organizations have deliberately rejected."

and persuasive, and unmarred, from the beginning to the close, by the first offensive expression. I would not trust myself to attempt a description, but I may say that it was an able, eloquent and complete vindication of the views of the South in all this matter. Could our members of Congress be induced to make such speeches—or I should rather say, to adopt at least his tones and manner—we should soon have an end to the anti-slavery agitation of the North. It was a noble and truthful appeal for justice at the hands of our Northern brethren, and the truths stated were its only denunciation."—*Advertiser and State Gazette*, May 9, 1860.

Continuing, he said that he recognized the fact that the South was in the minority, and that the constitution had been made for the protection of minorities. He conceded that the South might be wrong upon this constitutional question, and that the North might be right. But he had no doubts about it. He said the North had nothing to lose while the South had everything. It was the property of the South that was attacked, and her institutions that were at stake. The honor of the wives and children of the Southern men rested upon the course the North might take to consummate its designs. These being facts, the people of the South would yield no position until they were convinced that they were wrong.

Mr. Yancey reviewed the slavery question from the Missouri compromise of 1820 to the Kansas-Nebraska bill of 1854. He said that at one time the Democracy of the North was in the ascendency, and could elect a Democrat president; but the reason it was not so then was that the anti-slavery sentiment was dominant at the North, and the slavery sentiment was dominant at the South—that the Northern Democracy, yielding to the anti-slavery sentiment, had grown weaker and weaker, and had unconsciously turned traitors to their convictions of duty. He went on to show how the North had lost its ascendency. He said the reason was, that they acknowledged that slavery was wrong and could exist only by virtue of statutory enactments.

Mr. Yancey said he had not come there as a disunionist, for if he had, he would have come with the Alabama platform in his hand, and would have presented it for adoption or rejection, without the dotting of an "i" or the crossing of a "t." He said that the Alabama platform did not contain all that the people of that State desired, but for the sake of harmony and union they were willing to accede to any platform, presented by the North, that would afford protection to the people of the South. He thought the North ought to grant this to the South, as it would bring to the support of a Northern platform a united South.

He said that the supreme court in the Dred Scott decision had declared that Congress has no power to prohibit slavery in the Territories, and that the constitution protects slaveholders in the Territories. Therefore the Territorial governments, which de-

rive their powers from the general government, cannot prohibit slaveholders from entering their borders. He said:

"We are determined, in no language of threat or compulsion, that we must bring up the Democratic party to the great issue of loyalty to the government; we must appeal to the noble sentiment of its members, ask that their feelings of loyalty to the government shall over-ride their principle of mere loyalty to party. If need be, we must accept defeat upon great truths with cheerfulness, rather than rejoice in a victory upon error or double dealing.

"To my countrymen of the South I have a few words to say. Be true to your constitutional duties and rights. Be true to your own sense of right. Accept of defeat here, if defeat is to attend the assertion of the right, in order that you may secure a permanent victory in whatever contest you carry a constitutional banner.

"Yield nothing of principle for mere party success—else you will die by the hands of your associates as surely as by the hand of your avowed enemy. Permit no party, in lieu of fealty to the written compact of the constitution, to put the fiat of its own allegiance and fealty upon you, which will forever after be used to prevent your rising when you think the proper time comes, to assert your reserved rights. Do not demoralize yourselves; do not demoralize your own people by admitting that you are ready to affiliate in a war of factions, merely for the sake of keeping a party in power. A party, in its noblest sense is an organized body that pledges itself to the people to administer the government on a constitutional basis. The people have no interest in parties, except to have them pledged to administer the government for the protection of their rights. The leaders of the masses, brilliant men, great statesmen, may by ever ignoring the people's rights, still have a brilliant destiny in the rewards of office and the distribution of the eighty millions annually; but when those leaders, those statesmen become untrue to the people, and ask the people to vote for a party that ignores their rights and dares not acknowledge them in order to put and keep them in office, they ought to be strung upon a political gallows higher than that erected for Haman."

The minority report was adopted with the exception of the clause agreeing to abide by the decision of the supreme court.<sup>17</sup> It was simply a reaffirmation of the Cincinnati platform of 1856.

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<sup>17</sup> *Proceedings*. pp. 30-32, and also the *Advertiser and State Gazette*, May 16, 1860.



The final adoption of this report was the signal for the withdrawal of the Alabama delegates.

Mr. LeRoy Pope Walker, the chairman of the Alabama delegation, then presented a written protest, signed by all its members, announcing their reason for withdrawing from the convention.<sup>18</sup> In presenting this protest, Mr. Walker said:

"Mr. President, I am instructed by the Alabama delegation to submit to this convention a communication, and with your permission I will read it.

"To the honorable Caleb Cushing, President of the Democratic National convention, now in session in the city of Charleston, South Carolina: the undersigned delegates, representing the State of Alabama in this convention, respectfully beg leave to lay before your honorable body the following statement of facts; on the eleventh day of January, 1860, the Democratic party of the State of Alabama met in convention, in the city of Montgomery, and adopted with singular unanimity, a series of resolutions."

Mr. Walker then read the resolutions. Continuing he said:

"Under these resolutions, the undersigned received their appointment, and participated in the action of this convention. By the resolution of instruction, the tenth in the series, we were directed to insist that the platform adopted by this convention should embody in substance the proposition embraced in the preceding resolution, prior to nominating candidates. Anxious, if possible, to continue our relation with this convention, and thus to maintain the nationality of the Democratic party, we agreed to accept, as the substitute for the Alabama platform, either of the two reports submitted to this convention by a majority of the committee on resolutions—this majority representing not only a majority of the States of the Union, but also the only States at all likely to be carried by the Democratic party in the presidential election. We beg to make these reports a part of this communication."

He then read the following first majority report which contained the following resolutions in regard to slavery:

*"Resolved, That the platform adopted at Cincinnati be affirmed with the following resolutions:*

*"1. That the National Democracy of the United States hold these cardinal principles on the subject of slavery in the Territories: First, That Congress has no power to abolish slavery in*

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<sup>18</sup> *Proceedings*, pp. 32-35.

the Territories. Second, That the Territorial legislature has no power to abolish slavery in any Territory, nor to prohibit the introduction of slaves therein; nor any power to exclude slavery therefrom nor any power to destroy or impair the right of property in slaves by any legislation whatever.

"2. *Resolved*, That the enactments of State legislatures to defeat the faithful execution of the Fugitive Slave Law are hostile in character, subversive of the constitution, and revolutionary in their effect.

"3. *Resolved*, That it is the duty of the Federal government to protect, when necessary, the rights of persons and property on the high seas, in the Territories or wherever else its constitutional authority extends."

Then he read the second<sup>19</sup> majority report which contained these resolutions in regard to slavery:

"*Resolved*, That the platform adopted by the Democratic party at Cincinnati be affirmed, with the following explanatory resolutions:

"1. That the government of a Territory organized by an act of Congress is provisional and temporary, and during its existence all citizens of the United States have an equal right to settle with their property in the Territory without their rights, either of person or property, being destroyed or impaired by Congressional or Territorial legislation.

"2. That it is the duty of the Federal government, in all its departments, to protect, when necessary, the rights of persons and property in the Territories and wherever else its constitutional authority extends.

"3. That when the settlers in a Territory having an adequate population, form a State constitution, the right of sovereignty commences, and being consummated by admission into the Union, they stand on an equal footing with the people of other States, and the State thus organized ought to be admitted into the Federal Union, whether its constitution prohibits or recognizes the institution of slavery."

He said:

"These reports received the endorsement, in the committee on resolutions of every Southern State, and had either of them

<sup>19</sup> The origin of the *second* majority report is this. The original report of the committee on resolutions was after some discussion referred back to the committee in the hope that some form might be given it that would be generally acceptable. The committee reported the majority report with some changes. This was called the second majority report. It was not adopted.—*See Proceedings, passim.*

been adopted as the platform of principles of the Democratic party, although, possibly, in some respects, subject to criticism, we should not have felt ourselves in duty bound to withhold our acquiescence. But it has been the pleasure of this convention, by an almost exclusive sectional vote, not representing a majority of the States, nor a majority of the Democratic electoral votes, to adopt a platform which does not, in our opinion, nor in the opinion of those who urged it embody in substance the principles of the Alabama resolutions."

Mr. Walker here read the minority report, presented by Mr. Samuels and adopted by the convention.

The following is the report:

*"Resolved*, That we, the Democracy of the Union in convention assembled, hereby declare our affirmance of the resolutions unanimously adopted and declared as a platform of principles by the Democratic convention at Cincinnati, in the year 1856, believing that Democratic principles are unchangeable in their nature, when applied to the same subject matters.

*"Resolved*, That it is the duty of the United States to afford ample and complete protection to all its citizens, whether at home or abroad, and whether native or foreign born.

*"Resolved*, That one of the necessities of the age, in a military, commercial, and postal point of view, is speedy communication between the Atlantic and Pacific States; and the Democratic party pledge such constitutional government aid as will insure the construction of a railroad to the Pacific coast at the earliest practicable period.

*"Resolved*, That the Democratic party are in favor of the acquisition of the Island of Cuba, on such terms as shall be honorable to ourselves and just to Spain.

*"Resolved*, That the enactments of State Legislatures to defeat the faithful execution of the Fugitive Slave Law are hostile in character, subversive of the constitution, and revolutionary in their effect."

Continuing Mr. Walker said:

"Instructed, as we are, not to waive this issue, the contingency therefore, has arisen when, in our opinion, it becomes our duty to withdraw from this convention.

"We beg, sir, to communicate this fact through you, and to assure the convention that we do so in no spirit of anger, but under a sense of imperative obligation—properly appreciating its responsibilities, and cheerfully submitting to its consequences."

While Mr. Walker was presenting the protest, "it was evident that an unprecedented crisis had arrived. The late tumultuous convention was hushed to silence and the stillness of death, while solemnity was depicted upon every countenance."<sup>20</sup>

Mississippi, Florida and Texas followed with their entire delegations; and all but two of those from Louisiana, all but three from South Carolina, three from Arkansas, two from Delaware, and one from North Carolina joined the seceders.

The delegates who did not secede took fifty-seven votes, during which Mr. Douglas's strength rose to one hundred and fifty-two and a half. The strength of no other candidate reached twenty-one votes on any one of the fifty-seven contests. The convention, having failed to nominate a presidential candidate, adopted resolutions to adjourn to meet in Baltimore on June 18, and recommended to the Democratic party of the several States to supply all vacancies made by the withdrawal of the Southern delegates.

The seceding delegates assembled on April 30 in St. Andrew's hall, to consult upon what they should do in that extreme crisis.<sup>21</sup> The hall was filled with an "eager and expectant assemblage," so that it was a difficult matter for the delegates to enter. Mr. Yancey made an appeal in behalf of order and regular proceedings. John S. Preston, from South Carolina, was appointed temporary chairman. Mr. Yancey then in a few concise remarks explained the object and purpose of the meeting, and urged deliberate and well considered measures. He advocated moderation and conciliation. On motion of Mr. Walker, of Alabama, a committee was appointed to report a list of officers and rules for the permanent organization of the convention. Mr. J. A. Bayard, of Delaware, was selected as permanent president.

The second majority platform, which had been rejected in the other convention, was, with one or two verbal changes, adopted by acclamation. The only serious opposition to it was made by John Anthony Winston, of Alabama, who thought it did not come up to the Alabama instructions, because it was not sufficiently explicit on the subject of protection of slavery in the Territories.

<sup>20</sup> *Advertiser and State Gazette*, May 16, 1860.

<sup>21</sup> The convention subsequently met at Military hall, and later in the theater.—*Montgomery Daily Mail*, May 3-9, 1860.



The Montgomery *Daily Mail* gives the following summary of his speech:<sup>22</sup>

"Governor Winston could not agree to this report. He had belonged to the secession and protection Democracy. The doctrine of Alabama was not embraced in this report. He would not lower her flag an inch, though it may not have been his advice to have raised it. This excitement and talk here is intended to kill off men; and not establish principle.—Neither the Senate resolutions nor the majority report here came up to the standard of Alabama. This was, like the Cincinnati platform, a cheat and a delusion.

"Over-ardent men in the South have determined to renew this question. Though at this late day, when all the territories were occupied, it was not practical, yet he would go for the strict exactions of his State. Had his advice in 1850 been taken, we might now have had California, Kansas, and other Territories. All this fuss about squatter sovereignty was to kill off prominent men at the North and ring in other men in their places. He would wash his hands of this humbug, and the people of Alabama would do it when they saw how this question was bilked in this report. Under it the slaveholder would lose his negro if he went into the territories.

"He would not allow his people to be gulled with this delusion. Platforms were a humbug. He would prefer a sound man on no platform. There was no difference between Stephen A. Douglas and any other man on this platform. He did not justify the breaking up of a party on a mere abstraction. Alabama, however, had demanded the most perfect protection, and he did not regard this report as accomplishing that, declaring, as it did, that Congress should afford protection 'when necessary.' 'When necessary' might be discussed for twenty years."

A motion was made in the convention to nominate candidates for the presidency and vice-presidency. Judge A. B. Meek, of Alabama, even suggested the names of Davis and Bayard. But it was finally decided to await the action of the delegates who had not withdrawn from the Charleston convention. Mr. Bayard had suggested this policy on taking the chair as president of the convention. He said that the best policy for the seceding delegates to pursue was to wait and see whether the other convention

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<sup>22</sup> *Daily Mail*, May 5, 1860.

would not nominate a man whom they could support on their own platform.<sup>23</sup>

Mr. Yancey proposed the name "Constitutional Democratic convention" for this convention to distinguish it, he said, from the other, which by its action in adopting the squatter sovereignty platform and rejecting the platform of the constitution, had constituted itself the "Squatter Sovereignty convention." This would show to the country that they were not seeking to form another party, and would anticipate their enemies who would like to charge them with disunion and disruption, and call them secessionists. This proposition was opposed by some who did not want to modify in any way the old party name. To insure harmony in the convention, Mr. Yancey withdrew his motion. The seceders then adjourned to meet in Richmond on June 11.

After the adjournment of the two conventions, the all important question for the Democrats of Alabama to decide was whether they should be represented at Baltimore, or at Richmond.

Ex-Governor Winston, who had been a delegate to the Charleston convention and was the only delegate who opposed the resolutions adopted by the Alabama State convention of January, 1860, favored sending delegates to Baltimore. In a letter written May 16, 1860, and also in one written June 11, 1860, he states

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<sup>23</sup> Judge Meek is thus quoted in the report published in the *Montgomery Daily Mail*.

"Now what the present convention had really desired was to have put forward a great historic name that would have commanded confidence and respect all over the Union—he alluded to Jefferson Davis, of Mississippi. They had also, he might say, contemplated putting in connection with that name, the name of the honored gentleman who now presided over their deliberations, and thus have secured a ticket, *sans peur, sans reproche*. But any definite action now was deemed inexpedient, and his position was to appeal to the country to justify their principles and actions.

"Mr. Bayard analyzed with great clearness the ambiguity with which the other convention insisted upon covering up principle. If they nominated a candidate upon their platform, who was the expounder of squatter sovereignty they affirm that construction of it. If they do that he (Bayard) can go with this convention in recommending candidates. If, on the other hand, they should give us candidates maintaining our construction it would be left to them to excuse the inconsistency of their position. In that view this convention might take their nomination of a man whose record was sound in our view of the proper construction of that ambiguous platform. It was therefore our place to await its action."—*Montgomery Daily Mail*, May 4, 1860.

his views in regard to sending them to Baltimore.<sup>24</sup> His action in the Charleston convention had been severely criticised by the press, and he wrote these letters in defense of the course pursued by him there, and to make public his reasons for sending delegates to Baltimore.

In the letter written May 16, 1860, he said:

"The great Democratic party—the only party of national importance left to do battle for the constitution—is disorganized and demoralized. \* \* \* \* It is the work of patriotism to save and restore that party to power, to enable it to maintain the great contest now going on for the control of this government. \* \* \* \* We have now before us two propositions—the first is to send delegates to meet the National Democracy in council at Baltimore, for the purpose of nominating a national ticket for the presidency and vice-presidency.

"Believing, as I do, that this is the only mode now to save the country from the mad rule of black Republicanism, I favor and advocate the proposition to send delegates to that convention. It is the right of every citizen of the State of Alabama, concurring with and in this opinion, to participate in the movement. No man in this emergency has a right to be neutral.

"It is equally the privilege of those who favor the sectional movement of a convention [at Richmond] to send delegates to that convention—it is their duty to be represented in that convention.

"Believing, as I do, that this convention [at Richmond] is calculated to precipitate the South into a secession from the Democratic party, and from the Union itself—for which there is now no good cause and for which the South is wholly unprepared, I deprecate and oppose that movement."

The *Weekly Advertiser*, May 16, 1860, sums up Governor Winston's position thus:

"The Alabama platform, which I entirely endorse, demands the protection of slave property in the territories even when it is unnecessary; the majority platform requires it, only when it is necessary; therefore, I will sustain the minority platform which refuses it whether necessary or not. The logic of our ex-governor's conclusions may be very striking, but it is more for its impency than its correctness.

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<sup>24</sup> *Montgomery Confederation*, June 8, 1860, and June 22, 1860.



At a meeting of the people of Montgomery in Estelle hall on May 12, 1860, Mr. Yancey spoke<sup>25</sup> of the action of the Alabama delegates in the Charleston convention, and expressed his opinion as to the policy to be pursued by Alabama in the subsequent national Democratic convention. In this speech, Mr. Yancey said he did not think Alabama, "consistently with her honor and safety or the solemn position she had assumed," could send delegates to Baltimore. The principle of protection to slavery had been rejected by the Douglasites of the Charleston convention, and the Southern delegates compelled to retire from the convention. The squatter sovereignty platform was the platform of the Baltimore convention and by all parliamentary rules could not be altered. The ballots at Charleston showed that Douglas had a clear majority of a full convention, and his friends were perfectly united; and it was not reasonable to expect that they would withdraw their favorite and allow the nomination of such a man as Hunter, Lane, or Davis, who was the first of his peers to lay his hand upon Douglas.

In view of these facts, it was clear that the ballotings at Charleston would be repeated, and Douglas's supporters would stand by him to the bitter end.

"He himself could not see how Alabama and the other seceding States could be represented in the convention at Baltimore, and at the same time preserve their honor untarnished and not have their present high moral position demoralized and degraded.

"Now as to the Richmond convention, he believed that if the Southern States or even the cotton States, responded to the call and had their delegates on hand, it would be in the power of that convention to exert a vast influence over the Baltimore convention and the whole country. If that convention would agree upon a ticket of national and truly constitutional men, and plant them upon the late majority platform, it would be accepted and endorsed by a large number of the delegates who are to assemble at Baltimore, and go forth to receive the support of the Democracy and the constitutional men of the land generally. Even the warm supporters of Douglas would pause in their insane political course, and would be controlled by the prospective loss of the 'loaves and fishes,' the offices, to shift their sails to the popular breeze put in motion at Richmond."

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<sup>25</sup> *Advertiser and State Gazette*, May 16, 1860.

But all of the influential men of the South were not of Mr. Yancey's opinion. In May, immediately after Mr. Yancey had made this speech, nineteen representatives of the Southern States at Washington issued an address to the people of the South, urging them to send delegates to Baltimore.<sup>28</sup> In this address they said:

"In the subsequent proceedings of the convention, however, we think that distinct intimations may be discerned of a disposition on the part of the convention to recede from its determination and afford, either by an amendment of the platform or in some other manner equally satisfactory, such recognition of principles as would effectually obviate misconception and secure the harmonious action of the party, and that it was only because of these intimations that the delegations of the remaining Democratic States consented to join in the ballots which took place with no other effect than to induce an adjournment to Baltimore to the eighteenth of June, whilst the seceding delegates adjourned to meet at Richmond on the second Monday of the same month."

They thought it their right and duty, as there was no insuperable obstacle to prevent the restoration of the party, to unite their efforts, with those of their Democratic brethren, to secure the triumph of their principles.

Continuing they said:

"It is plain that if the convention shall at Baltimore adopt a satisfactory platform of principles before proceeding to select its candidates, the reason which dictated the withdrawal of the delegations of the eight States will have ceased, and no motive will remain for refusing to unite with their sister nor for holding an adjourned meeting at Richmond. On the other hand, if the convention, on reassembling at Baltimore, shall disappoint the just expectations of the remaining Democratic States, their delegations cannot fail to withdraw and unite with the eight States which have adjourned to Richmond. In either event there would be unanimous action in support of our principles by all the States which can be relied on for casting Democratic electoral votes."

They believed that the wise and prudent course to pursue now was to defer the assembling in Richmond until the necessity of such meeting should become imperative. They said Texas and Virginia and the other Southern States, which had not yet

<sup>28</sup> *Advertiser and State Gazette, M*



from the Charleston convention, could not hold State conventions and express their views authoritatively upon this question in time to send delegates to Baltimore; and it would be impossible to unite the Southern States and secure that harmonious action so necessary for the preservation of the Democratic party upon constitutional principles.

In view of the position taken by these representatives and the policy adopted by Mississippi and Louisiana, Mr. Yancey changed his views about sending delegates to Baltimore. In the convention held June 4, 1860, to nominate delegates either to Richmond or to Baltimore, he said,<sup>27</sup> that:

"His views on the policy to be pursued had undergone a change, and he should feel it a duty he owed to the Democracy of the State and of the cotton States, and of the Union, to support the majority report. He felt constrained to do so by the position taken by Mississippi, Louisiana, and Georgia—a position which had been clearly foreseen since the address of certain Southern senators and representatives, which had been published."

He thought the best policy to pursue was for the Richmond convention to adopt the majority platform reported to the Charleston convention, and nominate some such man as Davis, Lane, Hunter, or Guthrie, and adjourn *sine die*. But, he said, Alabama is precluded from adopting this policy by the fact that Mississippi and Louisiana have adopted a policy to accredit their delegates both at Richmond and Baltimore. He thought it true wisdom on the part of the cotton States to pursue such a policy, and preserve their unity of action in the support of the rejected majority platform, for a division of those States in convention at Richmond upon a mere policy, involving no constitutional principle, would be disastrous to the success of their principles within the Union. He thought the highest attainable policy was to preserve the unity of the cotton States and to preserve the unity of the national Democratic party upon constitutional principles.

He thought Alabama could consistently adopt this policy, that the State would not be backing down from her lofty position, because of a wise provision, made by the State Democracy in the

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<sup>27</sup> *Advertiser and State Gazette*, June 13, 1860.

January convention leaving this question to the executive committee to decide what was best to be done in case the Alabama delegates should withdraw from the Charleston convention. "Thus, no previous action of the party commits it to a policy which would make its secession at Charleston a final parting with that party."

He said that this policy would not in the least commit the people of Alabama to the abandonment of the principles of the January State convention because the present resolutions gave to the Alabama delegates at Baltimore the same instructions that had been given the delegates to the Charleston convention.

To understand the final results of the political policy put in motion by the Alabama delegates at Charleston, we must trace the action of the subsequent Alabama State conventions, which sent delegates to Baltimore, and the action of these delegates there.

Pursuant to the call of the executive committee,<sup>28</sup> which the Democratic State convention of January said should be appointed "to decide what is best to be done," the Yancey wing of the Democratic party met in convention in Montgomery, June 4, 1860, and unanimously adopted the following platform of resolutions:<sup>29</sup>

"1. That we do hereby reaffirm the platform of principles adopted by the Democratic State convention in January last.

"2. That the action of our delegates to the Charleston convention in withdrawing from that body, was in accordance with their instructions, was right in itself, and meets our unqualified approbation.

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<sup>28</sup> In accordance with the provision made by the Democratic State convention of January, that the executive committee, in case the Alabama delegates should withdraw from Charleston, should call a convention of the Democracy of Alabama "to consider what is best to be done," the committee appointed issued the following call:

"The delegates from the State of Alabama having withdrawn from the Charleston convention, the undersigned, in obedience to the late Democratic convention of this State, and by its authority and in its name, do hereby call a convention of the Democracy of Alabama to meet in the city of Montgomery on the first Monday in June next, being the fourth day of June, 1860, then and there 'to consider what is best to be done.'

"And we exhort the Democracy in each county of the State to hold primary meetings and select delegates to represent them in said convention.

"The Democratic papers throughout the State are requested to insert this call. Signed by Executive Committee.—*Advertiser and State Gazette*, May 30, 1860.

<sup>29</sup> *Montgomery Daily Mail*, June 5, 1860.

"3. That our delegates, in consenting to accept the platform of principles contained in the report of the majority of the committee on resolutions, in that convention sacrificed no principle, and acted in conformity with their instructions, and we are willing to meet the Democracy of the United States on that platform.

"4. That we approve the recommendation of our delegates and those of other States concurring with them at Charleston, to hold a convention at Richmond on the 11th of June. And reposing full confidence in the States which shall be represented in that body, we do hereby instruct our delegates to repair to Richmond and co-operate with the delegates of that convention in whatever line of policy may be agreed upon, best calculated to preserve our principles and constitutional rights. To this end, anxious, if possible, to preserve the integrity of the Democratic party upon principle, accredit them to the convention to be held at Baltimore on the 18th of June, under the instructions contained in the resolutions adopted in the Democratic State convention held in the city of Montgomery on the 11th day of January last."

Nearly all the original delegates to Charleston were selected as delegates to the Richmond convention, the only exception being in cases where the delegate had gone over to the other wing of the party, as for instance Winston, who had gone over to the Seibels-Forsyth wing.

Through the *Montgomery Confederation*, the *Huntsville Advocate*, and the *Mobile Register*, the Seibels-Forsyth wing of the Democratic party of Alabama issued the following call for a convention to nominate delegates to Baltimore:

"Fellow citizens: The aspect of political affairs is ominous of trouble and injury to the good of the people of the States. The only National party faithful to the Union is threatened with disorganization.

"We consider it incumbent on all those who are in favor of the perpetuity of the institutions of the government, the integrity, power and authority of the Democratic party, to meet in convention in their respective counties, to appoint delegates to a State convention to assemble on Monday, the 4th day of June next, for the purpose of appointing delegates to meet the National Democratic party in convention at Baltimore, to assemble on the 18th of June, to nominate a candidate for president and vice-president of the United States, who may be able to save the government from the hands of those who will not regard our constitutional

rights, and be the means of securing the perpetuity of the constitution and the union."<sup>80</sup>

This call was signed by Winston, Forsyth and others. In accordance with it a convention met in Montgomery on June 4, for the purpose of selecting delegates to represent Alabama in the convention to be held in Baltimore on June 18. It unanimously adopted a platform which endorsed the Cincinnati platform and the Dred Scott decision in regard to slavery.<sup>81</sup>

The delegates nominated by it, when they got to Baltimore, presented an address to the national Democratic party there assembled, in which they set forth the following claims for their admission:<sup>82</sup>

First, the remnant of the Charleston convention had requested the States to elect delegates to fill the vacancies made by the withdrawal of the Southern delegates. There was a vacancy in Alabama, and they therefore had full authority to elect delegates to this convention. They said the convention, which appointed them, assembled to send delegates to Baltimore and to no other place; and that their delegates had met the national Democratic party to protect the rights of the people and had agreed to abide by its action.

Second, that the Yancey wing could not fairly claim to do this because they had uniformly endorsed the Richmond convention; and had denounced the Baltimore convention, and until the very last moment, had refused to send delegates at all to it.

Third, they claimed that their appointment was as regular as that of the Yancey delegation, who had been appointed by the convention of June 4, which had met upon the call of the executive committee. They said that the resolution adopted by the State Democratic convention of January, 1860, providing for the appointment of an executive committee "to decide what was best to be done," did not prescribe how this committee should be appointed, and, in fact, the official record of the proceedings of that convention did not show either that the mode of appointing was decided upon, or that the committee was appointed at all. They

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<sup>80</sup> *Montgomery Confederation*, June 29, 1860.

<sup>81</sup> *Montgomery Daily Mail*, June 7, 1860.

<sup>82</sup> *Montgomery Confederation*, June 29, 1860.



said the record showed that the convention adjourned *sine die* without appointing that committee. It was several weeks after the adjournment of the convention before any attempt was made to repair the omission, and then the defunct president of a defunct convention nominated that committee through the newspapers. "We hold," they concluded, "that the functions of the president of that body ceased with its dissolution; and that he had no power to correct any of the mistakes of its record."

The Douglas delegates from Alabama were admitted to seats in the Baltimore convention, and the Yancey delegates were excluded.<sup>22</sup> The same thing was done in regard to the Douglas delegates from Louisiana. On being refused admittance, the Yancey delegates from Alabama and those of the other Southern States who belonged to the protection wing of the Democratic party, assembled and formed a separate and distinct convention. This convention unanimously adopted the platform reported to the Charleston convention by a majority of the committee on resolutions, and nominated John C. Breckenridge, of Kentucky, for president, and Joseph Lane, of Oregon, for vice-president.

The other convention nominated Stephen A. Douglas, of Illinois, for president, and Benjamin Fitzpatrick, of Alabama, for vice-president, upon the platform adopted by the Charleston convention with the following additional resolution:

"That it is in accordance with the interpretation of the Cincinnati platform, that, during the existence of the Territorial governments, the measure of restriction, whatever it may be, imposed by the Federal constitution on the power of the Territorial legislature over the subject of the domestic relations as the same has been, or shall hereafter be, finally determined by the supreme court of the United States, should be respected by all good citizens, and enforced with promptness and fidelity by every branch of the general government."

Fitzpatrick refused to accept the nomination, and Herschel V. Johnson, of Georgia, was nominated for the vice-presidency.

All students of American history are aware of the fact that this was the final disruption of the National Democratic party, and no doubt gave the Republican party its ascendancy in national poli-

<sup>22</sup> *Montgomery Daily Mail*, June 21, 1860, and June 23, 1860. See also *Official Proceedings*, Baltimore, 1860.

tics. It was the severing of the last tie that bound Southern Democrats to Northern Democrats. It is possible that, if the disruption of the Democratic party at this time could have been prevented, the Republicans might have been defeated and the great Civil War might have been deferred, if not averted.

